

REMARKS

In response to the Office Action, mailed August 24, 2004, Applicants submit that the Examiner is not examining the subject matter of the pending claims, but is in fact searching and making rejections on sequences that were never submitted with the patent application and were never claimed. The Examiner has failed to follow the procedures required under MPEP section 904.

The PTO has erroneously entered the wrong sequence listing into the PTO sequence database and thus the SEQ ID NOS:7 and 8 associated with this patent application in the PTO sequence database DO NOT correspond to the SEQ ID NOS:7 and 8 listed in the present application and sequence listing.

If the Examiner had "obtained a thorough understanding of the invention disclosed and claimed in the nonprovisional patent application" (MPEP section 904, first paragraph) the Examiner would be searching TNF antibody heavy and light chain sequences as disclosed and claimed in the present patent application, as shown as heavy and light chain amino acid SEQ ID NOS:7 and 8, AS PRESENTLY DISCLOSED AND CLAIMED IN THE PRESENT PATENT APPLICATION. The Examiner would not be searching MIP-1b and RANTES cytokine sequences as erroneously listed in the sequence listing associated with this patent application in the PTO sequence database. These sequences were never submitted with the present application and the sequence listing associated with this patent application in the PTO sequence database is incorrect.

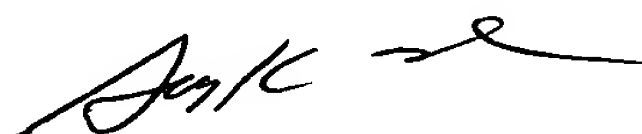
Applicant submits herewith written and electronic copies of each sequence listing submitted with the patent application, which are dated in each case, and which correspond to the original sequences submitted as part of the priority patent applications. Accordingly, Applicants submit that the Examiner has failed to understand the presently claimed application as filed and requests that the Examiner conduct a proper search as required under MPEP 904 using currently elected claims reciting SEQ ID NOS:7 and 8, which correspond to heavy and light variable chain amino acid sequences of the presently claimed TNF antibody.

Applicants submit that the Examiner has failed to properly examine the present application and claims and thus it not entitled to issue a final Office Action in the present case, but must reissue a new first office action on the merits using a search of the proper sequences listed as SEQ ID NOS:7 and 8 of the present application, as listed in each of the priority applications, the present application, and each of the submitted sequence listings as attached in printed and computer readable form.

Reconsideration and allowance of the pending claims are respectfully requested.

If any fees are due in connection with the filing of this response, authorization is hereby given to charge the amount of such fee to Deposit Account No. 10-0750/CEN0250NP/GKT in the name of Johnson & Johnson.

Respectfully submitted,

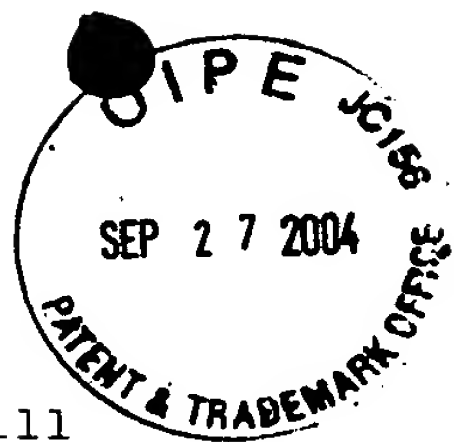


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New Brunswick, NJ 08933-7003
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Dated: September 24, 2004

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SEQUENCE LISTING



<110> Giles-Komar, Jill
David Shealy
David Knight
Bernie Scallon
George Heavner

<120> ANTI-TNF ANTIBODIES, COMPOSITIONS, METHODS AND USES

<130> CEN0250

<140> CURRENT APPLICATION NUMBER: US 90/920,262

<141> CURRENT FILING DATE: 2001-08-01

<150> 60/223,360

<151> 2000-08-07

<150> 60/236,826

<151> 2000-09-29

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Ala Val Ile Ser Tyr Asp Gly Ser Asn Lys Tyr Tyr Ala Asp Ser Val
50 55 60

Lys Gly Arg Phe Thr Ile Ser Arg Asp Asn Ser Lys Asn Thr Leu Tyr
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 35 40 45
 Tyr Asp Ala Ser Asn Arg Ala Thr Gly Ile Pro Ala Arg Phe Ser Gly
 50 55 60
 Ser Gly Ser Gly Thr Asp Phe Thr Leu Thr Ile Ser Ser Leu Glu Pro
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 Lys Gly Gln Gly Cys Pro Ser Thr His Val Leu Leu Thr His Thr Ile
 65 70 75 80
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 Ile Lys Ser Pro Cys Gln Arg Glu Thr Pro Glu Gly Ala Glu Ala Lys
 100 105 110
 Pro Trp Tyr Glu Pro Ile Tyr Leu Gly Gly Val Phe Gln Leu Glu Lys
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SEQUENCE LISTING

<110> Giles-Komar, Jill;
David Shealy;
David Knight;
Bernie Scallon;
George Heavner

<120> ANTI- TNF ANTIBODIES, COMPOSITIONS, METHODS AND USES

<130> CEN250

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<170> PatentIn Ver 2.0

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 20 25 30

Ala Met His Trp Val Arg Gln Ala Pro Gly Lys Gly Leu Glu Trp Val
 35 40 45

Ala Val Ile Ser Tyr Asp Gly Ser Asn Lys Tyr Tyr Ala Asp Ser Val
 50 55 60

Lys Gly Arg Phe Thr Ile Ser Arg Asp Asn Ser Lys Asn Thr Leu Tyr
 65 70 75 80

Leu Gln Met Asn Ser Leu Arg Ala Glu Asp Thr Ala Val Tyr Tyr Cys
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 100 105 110

Met Asp Val
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Leu Ala Trp Tyr Gln Gln Lys Pro Gly Gln Ala Pro Arg Leu Leu Ile
 35 40 45

Tyr Asp Ala Ser Asn Arg Ala Thr Gly Ile Pro Ala Arg Phe Ser Gly
 50 55 60

Ser Gly Ser Gly Thr Asp Phe Thr Leu Thr Ile Ser Ser Leu Glu Pro
 65 70 75 80

Glu Asp Phe Ala Val Tyr Tyr Cys Gln Gln Arg Ser Asn Trp Pro Pro
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Phe Thr Phe Gly Pro Gly Thr Lys Val Asp Ile Lys
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Val Arg Ser Ser Ser Arg Thr Pro Ser Asp Lys Pro Val Ala His Val
 1 5 10 15

Val Ala Asn Pro Gln Ala Glu Gly Gln Leu Gln Trp Leu Asn Arg Arg
 20 25 30

Ala Asn Ala Leu Leu Ala Asn Gly Val Glu Leu Arg Asp Asn Gln Leu
 35 40 45

Val Val Pro Ser Glu Gly Leu Tyr Leu Ile Tyr Ser Gln Val Leu Phe
 50 55 60

Lys Gly Gln Gly Cys Pro Ser Thr His Val Leu Leu Thr His Thr Ile
 65 70 75 80

Ser Arg Ile Ala Val Ser Tyr Gln Thr Lys Val Asn Leu Leu Ser Ala
 85 90 95

Ile Lys Ser Pro Cys Gln Arg Glu Thr Pro Glu Gly Ala Glu Ala Lys
 100 105 110

Pro Trp Tyr Glu Pro Ile Tyr Leu Gly Gly Val Phe Gln Leu Glu Lys
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